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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,344	07/12/2001	Kevin L. Strobel	F-255	1550

919 7590 09/27/2005

PITNEY BOWES INC.  
35 WATERVIEW DRIVE  
P.O. BOX 3000  
MSC 26-22  
SHELTON, CT 06484-8000

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/904,344

Applicant(s)

STROBEL ET AL

Examiner

King Y. Poon

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 25, 44 and 57 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24, 26-43 and 45-56 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/20/05

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's election with traverse of the restriction requirement in the reply filed on 7/13/2005 is acknowledged. The traversal is on the ground(s) that further limits claims 1, 30, and 45. This is not found persuasive because:

Applicant in the response to restriction filed on 7/13/2005 admits the only claims (claims 25, 44, 57) in the species of group II as defined by the restriction requirement are dependent claims that include the limitation of first sending the encrypted document from the data center to the mobile device. The examiner concurs with the applicant on this issue. The restriction requirement defines species II as the another embodiment in page 9, lines 7-21, page 4 lines 1-8, specification. "Another", according to American Heritage Dictionary of the English Language is "distinctly different from the first." MPEP 806.04 (e) states claims may be restricted to a single disclosed embodiment. Since applicant admits species I and species II are distinctly different embodiments, and the limitation of first sending the encrypted document from the data center to the destination device, under disclosure is not found in embodiment I and the limitation of sending the encrypted document from the data center to the destination device, under disclosure is not found in embodiment II, (fig. 1 and page 6, lines 24-26 applicant's specification defines how the limitations of "the encrypted document(s) are then sent from the data center to the destination printing device" is to be interpreted), the requirement is still deemed proper and is therefore made FINAL.

Accordingly, claims 25, 44 and 57 are withdrawn from consideration.

***Allowable Subject Matter***

2. Claims 1-24, 26-43, 45-56 are allowed.

***Response to Arguments***

3. Applicant's arguments filed 7/13/2005 have been fully considered but they are not persuasive.

With respect to applicant's argument that if the independent claims are allowable, the dependent claims are allowable along with the independent claims, has been considered.

In reply: The above statement is not correct because there may be 112 first paragraph rejection, 112 second paragraph rejection or claim objection to the dependent claims although independent claims are allowable.

In the present application, claims 25, 44, and 57 are withdrawn from considerations.

Furthermore, the applicant has elected the embodiment disclosed in page 3, lines 19-26, column 6, lines 20-28 to be examined. The claims directed to the elected invention are found to be allowable. The limitation of "first sending the encrypted document from the data center to the destination device" only included in non elected claims 25, 44, 57 and belongs to the non-elected species, as admitted by the applicant in response to restriction, is withdrawn from consideration.

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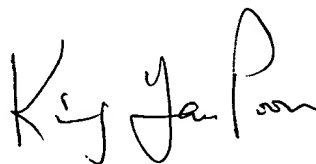
***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 21, 2005

A handwritten signature in black ink, appearing to read 'King Y. Poon', with a stylized flourish at the end.

**KING Y. POON  
PRIMARY EXAMINER**